

REMARKS

Claim Rejections under 35 USC §103(a)

per Pierced in view of Maxon or Ehlers

Applicant has amended claim 1 to more clearly define the subject matter of the invention by the inclusion of the elements of claim 3 and a more defined description thereof.

Applicant's device has a hopper engaged to the vehicle at an attachment point which in a center portion of the chassis between the front and rear of the chassis. This is best shown in figure 3.

Both Ehlers and Maxon have a hopper attached at the rear of the vehicle rendering them incapable of the function of applicants device.

Ehlers only tilts at an angle which is substantially toward the rear of the vehicle over, or to the rear of, the rear axle. It is incapable of tilting from a center position on the chassis toward either the rear, or the front of the vehicle and thereby adjust the center of gravity of the vehicle toward the front or the rear from the attachment point.

Maxon too has a hopper that is attached behind the rear axle (see figure 1 and 4) and while able to rotate rearward, is incapable of moving between an angle substantially rearward from the attachment point to an angle substantially forward of the attachment point. This is because the hopper of Maxon is always tilted substantially forward of the attachment point which is behind the rear axle. If Maxon ever did tilt the hopper toward at

an angle over the attachment point substantially rearward the contents would completely fall out of the hopper and the vehicle would tip over toward the rear since the attachment point is to the rear of the rear axle.

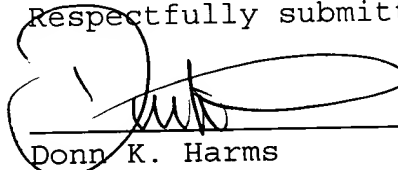
Consequently, neither Ehlers or Maxon provide the center section mount of the hopper between the axles or the ability to tilt the hopper at angles between a substantially rearward angle and a substantially forward angle. Both patents teach a rearward mounting point, behind the rear axle, and both are incapable of rotating forward or rearward as they would both tip over if the angle of the hopper over that attachment point ever reached a substantially rearward tilt.

The Examiner's objection per 35 USC §103(a) per Pierced in view of Maxon or Ehlers is respectfully traversed. As such claim one and dependant claims thereto should all be allowable.

FINAL REMARKS

All remaining claims should now be allowable. Should the Examiner have any further questions or concerns the Examiner wishes to address by Examiner's amendment, by telephone or otherwise, or, should the Examiner have suggestions to more clearly define the subject matter of the claims to more clearly define the patentable subject matter, the Applicant's attorney would be most receptive to such by telephone and Examiner's amendment.

Respectfully submitted,



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